

**LeClairRyan**

*A Professional Corporation*

One Riverfront Plaza

1037 Raymond Boulevard

Newark, New Jersey 07102

(973) 491-3600

Attorneys for Plaintiff, Super 8 Worldwide, Inc.

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

---

SUPER 8 WORLDWIDE, INC., a South  
Dakota Corporation,

Plaintiff,

v.

BBRS HOTELS, INC., a California  
Corporation; RAMESHBAI PATEL, also  
known as RAMESH PATEL, an individual;  
BHARAT PATEL, an individual; and  
SHOBHANA PATEL, an individual; and  
BHAVIK PATEL, an individual,

Defendants.

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Civil Action No. 17-cv-829 (JMV)(MF)

**AFFIDAVIT OF EFFECTUATED  
SERVICE FOR DEFENDANTS,  
BHAVIK PATEL, BHARAT PATEL  
AND SHOBHANA PATEL, ONLY**

BRYAN P. COUCH, of full age, hereby certifies and states:

1. I am an attorney-at-law of the State of New Jersey and a shareholder of the law firm of LeClairRyan, attorneys for plaintiff, Super 8 Worldwide, Inc. ("SWI"), in the above captioned matter. As such, I have personal knowledge of the facts contained herein.


2. The Complaint was filed with the Court on February 8, 2017.

3. On February 15, 2017, we forwarded the Summons and Complaint to Recon Management Group ("Recon") to effectuate personal service upon defendants Bhavik Patel, Bharat Patel and Shobhana Patel ("Defendants").

4. Despite diligent efforts and inquiry, Recon has been unable to locate defendants Bhavik Patel, Bharat Patel and Shobhana Patel. See Affidavit of Diligent Efforts attached hereto as Exhibit A.

5. By letter dated April 18, 2017, a true copy of which is attached hereto as Exhibit B, SWI served defendants Bhavik Patel, Bharat Patel and Shobhana Patel with a copy of the Summons and Complaint via certified and regular mail return receipt requested pursuant to Fed R. Civ. P. 4(e)(1).

I certify under penalty of perjury that the foregoing is true and correct

  
\_\_\_\_\_  
Bryan P. Couch

Executed on: April 19, 2017  
Newark, New Jersey

# EXHIBIT A

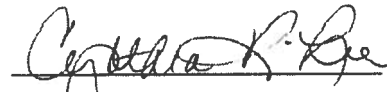
**Affidavit of Diligent Efforts as to Shobana Patel**

Re: Super 8 Worldwide Inc. v. BBRS Hotels, Inc., et al

1. Affiant, Cynthia R. Lee, is an employee of RECON Management Group, LLC and makes this affidavit on information and belief on April 13, 2017.
2. Affiant assumed responsibility of this file on February 20, 2017 and proceeded with preliminary research to locate a viable, current address for Defendant Shobana Patel.
3. Based on a review of the file, research and data received and processed, as well as client-supplied data, Affiant forwarded the summons and complaint on Defendant to a California server on February 27, 2017 for service on Shobana Patel at 1622 Union Ave., Bakersfield, CA 93305.
4. On March 14, 2017 at 7:35 p.m., server attempted service on Shobana Patel at 1622 Union Ave., Bakersfield, CA. At the time of arrival, address was to a Tropicana Motor Inn Hotel. Server was advised by Manager, Angel Zazueta, that servee was an owner/partner of the Hotel however, subject was not there at the time of service. Manager further stated that she did not know when subject would return.
5. On March 28, 2017 at 9:50 a.m. server returned to same address to attempt service on Shobana Patel. Server was advised per Angel, Hotel Manager that subject was not in.
6. On March 29, 2017, at 12:48 p.m., server went back to 1622 Union Ave., Bakersfield, CA to effectuate service on Shobana Patel and was once again informed by the Hotel Manager that subject was not in. Server left papers with Angel Zazueta, Hotel Manager, for service on Shobana Patel.
7. On March 30<sup>th</sup>, California server reported to Affiant that Defendant Shobana Patel was not served at 1622 Union Ave., Bakersfield, CA. and that subject was not at the address at the time of the service attempt. Furthermore, server reported that Hotel Manager confirmed that subject did own Hotel, however was never in at the time of service. Server also advised that he left the papers with Angel Zazueta, Hotel Manager, for service on Shobana Patel.
8. Affiant attempted to locate alternative addresses for Defendant and was unable to locate another verifiable alternative address to serve Defendant. Affiant further states that the address listed at 1622 Union Ave., Bakersfield, CA is a current and viable address for Shobana Patel.

9. We have no further alternative location information for this Defendant after diligent inquiry and attempts and believe that the address listed at 1622 Union Ave., Bakersfield, CA is the last known and current address for defendant Shobana Patel. Furthermore, we believe Defendant, Shobana Patel, through its Attorney, Agents, or employees is avoiding service in this matter.

April 12, 2017



Cynthia R. Lee

RECON Management Group, LLC

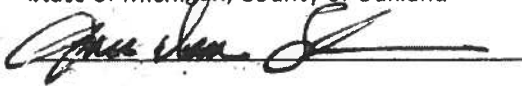
30400 Telegraph Rd. #472

Bingham Farms, MI 48025

Subscribed to and sworn before me on

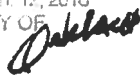
April 12, 2017 in the

State of Michigan, County of Oakland



Notary Public

JAMES DEAN SCHOENHERR  
NOTARY PUBLIC, STATE OF MICH.  
COUNTY OF MACOMB  
MY COMMISSION EXPIRES Jan. 12, 2018  
ACTING IN THE COUNTY OF



**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEW JERSEY**

**SUPER 8 WORLDWIDE, INC.,**  
*Plaintiff*

V.

**SUMMONS IN A CIVIL CASE**

**BBRS HOTELS, INC., ET AL.,**  
*Defendant*

CASE NUMBER: 2:17-CV-00829-JMV-MF

TO: (Name and address of Defendant):

SHOBHANA PATEL

*1622 Union Ave.  
Bakersfield, CA 93305*

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States Agency, or an office or employee of the United States described in Fed. R. civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

**LECLAIRRYAN**  
One Riverfront Plaza  
1037 Raymond Boulevard  
16th Floor  
Newark, New Jersey 07102

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

WILLIAM T. WALSH

CLERK

John Reilly

(By) DEPUTY CLERK



ISSUED ON 2017-02-08 14:07:23, Clerk  
USDC NJD

RECON MANAGMENT GROUP, LLC  
 30400 TELEGRAPH ROAD, SUITE 472  
 BINGHAM FARMS, MI 48025  
 (248) 540-0160

## UNITED STATES DISTRICT COURT

SUPER 8 WORLDWIDE, IN.C.

Plaintiff(s)

v.

BBR HOTELS, INC., ET AL.

Defendant(s)

CASE NUMBER:  
 2:17-CV-00829-JMV-MF

**PROOF OF SERVICE  
 SUMMONS AND COMPLAINT**

(Use separate proof of service for each person/party served)

1. At the time of service I was at least 18 years of age and not a party to this action and I served copies of the (specify documents):
 

<input type="checkbox"/> summons	<input type="checkbox"/> first amended complaint	<input type="checkbox"/> third party complaint
<input type="checkbox"/> complaint	<input type="checkbox"/> second amended complaint	<input type="checkbox"/> counter claim
<input type="checkbox"/> alias summons	<input type="checkbox"/> third amended complaint	<input type="checkbox"/> cross claim
<input type="checkbox"/> other (specify):		
2. Person served:
  - a. ☒ Defendant (name:) **SHOBHANA PATEL**
  - b. ☐ Other (specify name and title or relationship to the party/business named):
  - c. ☒ Address where the papers were served: **1622 UNION AVE.  
 BAKERSFIELD, CA 93305**
3. Manner of Service in compliance with (the appropriate box must be checked):
  - a. ☐ Federal Rules of Civil Procedure
  - b. ☒ California Code of Civil Procedure
4. I served the person named in Item 2:
  - a. ☐ By Personal Service. By personally delivering copies. If the person is a minor, by leaving copies with a parent, guardian, conservator or similar fiduciary and to the minor if at least twelve (12) years of age.
    1. ☐ Papers were served on (date): at (time):
  - b. ☒ By Substituted Service. By leaving copies: **ANGEL ZAZUETA - HOTEL MANAGER/EMPLOYEE**

Age: 30'S	Weight: 225	Hair: BLK	Sex: Male
Height: 5'8	Eyes: BRN	Race: HISP	Marks:

    1. ☐ (home) at the dwelling house, usual place of abode, or usual place of business of the person served in the presence of a competent member of the household, at least 18 years of age, who was informed of the general nature of the papers.
    2. ☒ (business) or a person apparently in charge of the office, or place of business, at least 18 years of age, who was informed of the general nature of the papers.
    3. ☒ Papers were served on (date): **03/29/2017** at (time): **12:48 pm**
    4. ☐ by mailing (by first-class mail, postage prepaid) copies to the person served in Item 2(b) at the place where the copies were left in Item 2(c).
    5. ☐ papers were mailed on
    6. ☒ due diligence. I made at least three (3) attempts to personally serve the defendant.
  - c. ☐ Mail and acknowledgment of service. By mailing (by first-class mail or airmail, postage prepaid) copies to the person served, with two (2) copies of the form of Waiver of Service of Summons and Complaint and a return envelope, postage prepaid addressed to the sender. (Attach completed Waiver of Service of summons and Complaint).

- d. ☐ **Service on domestic corporation, unincorporated association (including partnership), or public entity.** (F.R.Civ.P. 4(h)) (C.C.P. 416.10) By delivering, during usual business hours, a copy of the summons and complaint to an officer, a managing or general agent, or to any other agent authorized by appointment or by law to receive service of process and, if the agent is one authorized by statute and the statute so requires, by also mailing, by first-class mail, postage prepaid, a copy to the defendant.
- e. ☐ **Substituted service on domestic corporation, unincorporated association (including partnership), or public entity.** (C.C.P. 415.20 only) By leaving during usual business hours, a copy of the summons and complaint in the office of the person served with the person who apparently was in charge and thereafter by mailing (by first-class mail, postage prepaid) copies of the persons at the place where the copies were left in full compliance with C.C.P. 415.20 Substitute service upon the California Secretary of State requires a court order. (Attach a copy of the order to this Proof of Service.)
- f. ☐ **Service on a foreign corporation.** In any manner prescribed for individuals by FRCP 4(f)
- g. ☐ **Certified or registered mail service.** By mailing to an address outside California (by first-class mail, postage prepaid, requiring a return receipt) copies to the person served. (Attach signed return receipt or other evidence of actual receipt by the person served).
- h. ☐ **Other** (specify code section and type of service):

5. Service upon the United States, and Its Agencies, Corporations or Officers.

- a. ☐ by delivering a copy of the summons and complaint to the clerical employee designated by the U S Attorney authorized to accept service, pursuant to the procedures for the Office of the U.S. Attorney for acceptance of service, or by sending a copy of the summons and complaint by registered or certified mail addressed to the civil process clerk at the U.S. Attorneys Office.
- Name of person served:
- Title of person served:
- Date and time of service: (date): at (time):
- b. ☐ By sending a copy of the summons and complaint by registered or certified mail to the Attorney General of the United States at Washington, D.C. (Attach signed return receipt or other evidence of actual receipt by the person served).
- c. ☐ By sending a copy of the summons and complaint by registered or certified mail to the officer, agency or corporation (Attach signed return receipt or other evidence of actual receipt by the person served).

6. At the time of service I was at least 18 years of age and not a party to this action.

7. Person serving (name, address and telephone number):



**NORMA GUTIERREZ**  
**AMS Legal Support Services**  
**31 H. Street**  
**Bakersfield, CA 93304**  
**(661) 324-8018**

- a. Fee for service: \$
- b. ☐ Not a registered California process server
- c. ☐ Exempt from registration under B&P 22350(b)
- d. ☒ Registered California process server  
 Registration # : #433  
 County: KERN

8. ☐ I am a California sheriff, marshal, or constable and I certify that the foregoing is true and correct.

I declare under penalty of perjury that the foregoing is true and correct.

Date: March 30, 2017

**NORMA GUTIERREZ**  
 Type or Print Server's Name

*Norma Gutierrez*  
 (Signature)

PROOF OF SERVICE - SUMMONS AND COMPLAINT



Attorney or Party without Attorney  <b>RECON MANAGMENT GROUP, LLC</b> 30400 TELEGRAPH ROAD, SUITE 472 BINGHAM FARMS, MI 48025 TELEPHONE No. (248) 540-0160      FAX No. (Optional). (248) 540-3622 E-MAIL ADDRESS (Optional)				FOR COURT USE ONLY
Attorney for Plaintiff		Ref No. or File No.		
Insert name of Court, and Judicial District and Branch Court UNITED STATES DISTRICT COURT, DISTRICT OF NEW JERSEY -				
Plaintiff SUPER 8 WORLDWIDE, IN.C.  Defendant BBR HOTELS, INC., ET AL.				
<b>AFFIDAVIT OF REASONABLE DILIGENCE</b>	HEARING DATE:	TIME:	DEPT.:	CASE NUMBER:  2:17-CV-00829-JMV-MF

I, NORMA GUTIERREZ and any employee or independent contractor retained by AMS Legal Support Services are and were on the dates mentioned herein over the age of eighteen years and not a party to this action. Personal service was attempted on SHOBHANA PATEL as follows:  
Documents:

Date	Time	Location	Results
03/14/2017	07:35 pm	Home	Attempted service at given address-1622 Union Ave., Bakersfield, CA 93305 at time of arrival realized given address is Tropicana Motor Inn Hotel and asked for Defendant and was advised by Angel Zazueta-Manager that servee is an owner/partner of the Hotel and Defendant is not here at this time and not sure when defendant would be in.
03/28/2017	09:50 am	Home	Not In At Time Of Attempt At Business Per Angel Hotel Manager ,
03/29/2017	12:48 pm		Not In At Time Of Attempt At Business Per Angel Zazueta, Hotel Manager, Not Sure When Servee Will Be In.

County: KERN  
Registration No.: #433  
AMS Legal Support Services  
31 H. Street  
Bakersfield, CA 93304  
(661) 324-8018  
<http://www.amslegal.net/>

I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed on **March 30, 2017 at Bakersfield, CA.**

Signature: Norma Gutierrez  
NORMA GUTIERREZ

### AFFIDAVIT OF REASONABLE DILIGENCE

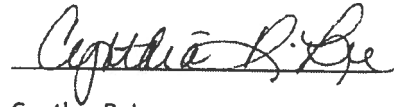
**Affidavit of Diligent Efforts as to Bharat Patel**

Re: Super 8 Worldwide Inc. v. BBRS Hotels, Inc., et al

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8. Affiant attempted to locate alternative addresses for Defendant and was unable to locate another verifiable alternative address to serve Defendant. Affiant further states that the address listed at 1622 Union Ave., Bakersfield, CA is a current and viable address for Bharat Patel.

9. We have no further alternative location information for this Defendant after diligent inquiry and attempts and believe that the address listed at 1622 Union Ave., Bakersfield, CA is the last known and current address for defendant Bharat Patel. Furthermore, we believe Defendant, Bharat Patel, through its Attorney, Agents, or employees is avoiding service in this matter.

April 12, 2017



Cynthia R. Lee

RECON Management Group, LLC

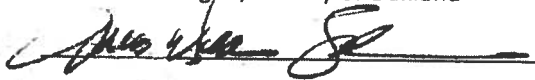
30400 Telegraph Rd. #472

Bingham Farms, MI 48025

Subscribed to and sworn before me on

April 12, 2017 in the

State of Michigan, County of Oakland



Notary Public

JAMES DEAN SCHOENHERR  
NOTARY PUBLIC, STATE OF MICH.  
COUNTY OF MACOMB

MY COMMISSION EXPIRES Jan. 12, 2018  
ACTING IN THE COUNTY OF

Oakland

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEW JERSEY**

**SUPER 8 WORLDWIDE, INC.,**  
*Plaintiff*

V.

**SUMMONS IN A CIVIL CASE**

**BBRS HOTELS, INC., ET AL.,**  
*Defendant*

CASE NUMBER: 2:17-CV-00829-JMV-MF

TO: *(Name and address of Defendant):*

**BHARAT PATEL**

*1422 Union Ave.  
Bakersfield, CA 93305*

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States Agency, or an office or employee of the United States described in Fed. R. civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

**LECLAIRRYAN**  
One Riverfront Plaza  
1037 Raymond Boulevard  
16th Floor  
Newark, New Jersey 07102

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

**WILLIAM T. WALSH**

CLERK

**John Reilly**

(By) DEPUTY CLERK



ISSUED ON 2017-02-08 14:07:23, Clerk  
USDC NJD

RECON MANAGMENT GROUP, LLC  
 30400 TELEGRAPH ROAD, SUITE 472  
 BINGHAM FARMS, MI 48025  
 (248) 540-0160

## UNITED STATES DISTRICT COURT

SUPER 8 WORLWIDE, IN.C.

Plaintiff(s)

v.

BBR HOTELS, INC., ET AL.

Defendant(s)

CASE NUMBER:  
 2:17-CV-00829-JMV-MF

**PROOF OF SERVICE  
 SUMMONS AND COMPLAINT**

(Use separate proof of service for each person/party served)

1. At the time of service I was at least 18 years of age and not a party to this action and I served copies of the (specify documents):

- a. ☐ summons ☐ first amended complaint ☐ third party complaint  
☐ complaint ☐ second amended complaint ☐ counter claim  
☐ alias summons ☐ third amended complaint ☐ cross claim  
☐ other (specify):

2. Person served:

- a. ☒ Defendant (name:) **BHARAT PATEL**  
 b. ☐ Other (specify name and title or relationship to the party/business named):  
 c. ☒ Address where the papers were served: **1622 UNION AVE.  
 BAKERSFIELD, CA 93305**

3. Manner of Service in compliance with (the appropriate box must be checked):

- a. ☐ Federal Rules of Civil Procedure  
 b. ☒ California Code of Civil Procedure

4. I served the person named in Item 2:

- a. ☐ By Personal Service. By personally delivering copies. If the person is a minor, by leaving copies with a parent, guardian, conservator or similar fiduciary and to the minor if at least twelve (12) years of age.  
 1. ☐ Papers were served on (date): at (time):  
 b. ☒ By Substituted Service. By leaving copies: **ANGEL ZAZUETA - HOTEL MANAGER/EMPLOYEE**  
 Age: 30'S Weight: 225 Hair: BLK Sex: Male  
 Height: 5'8 Eyes: BRN Race: HISP Marks:  
 1. ☐ (home) at the dwelling house, usual place of abode, or usual place of business of the person served in the presence of a competent member of the household, at least 18 years of age, who was informed of the general nature of the papers  
 2. ☒ (business) or a person apparently in charge of the office, or place of business, at least 18 years of age, who was informed of the general nature of the papers.  
 3. ☒ Papers were served on (date): **03/29/2017** at (time): **12:48 pm**  
 4. ☐ by mailing (by first-class mail, postage prepaid) copies to the person served in Item 2(b) at the place where the copies were left in Item 2(c).  
 5. ☐ papers were mailed on  
 6. ☒ due diligence. I made at least three (3) attempts to personally serve the defendant.  
 c. ☐ Mail and acknowledgment of service. By mailing (by first-class mail or airmail, postage prepaid) copies to the person served, with two (2) copies of the form of Waiver of Service of Summons and Complaint and a return envelope, postage prepaid addressed to the sender. (Attach completed Waiver of Service of summons and Complaint).

- d. ☐ **Service on domestic corporation, unincorporated association (including partnership), or public entity.** (F.R.Civ.P. 4(h)) (C.C.P. 416.10) By delivering, during usual business hours, a copy of the summons and complaint to an officer, a managing or general agent, or to any other agent authorized by appointment or by law to receive service of process and, if the agent is one authorized by statute and the statute so requires, by also mailing, by first-class mail, postage prepaid, a copy to the defendant.
- e. ☐ **Substituted service on domestic corporation, unincorporated association (including partnership), or public entity.** (C.C.P. 415.20 only) By leaving during usual business hours, a copy of the summons and complaint in the office of the person served with the person who apparently was in charge and thereafter by mailing (by first-class mail, postage prepaid) copies of the persons at the place where the copies were left in full compliance with C.C.P. 415.20 Substitute service upon the California Secretary of State requires a court order. (Attach a copy of the order to this Proof of Service.)
- f. ☐ **Service on a foreign corporation.** In any manner prescribed for individuals by FRCP 4(f)
- g. ☐ **Certified or registered mail service.** By mailing to an address outside California (by first-class mail, postage prepaid, requiring a return receipt) copies to the person served. (Attach signed return receipt or other evidence of actual receipt by the person served).
- h. ☐ **Other** (specify code section and type of service):

5. Service upon the United States, and Its Agencies, Corporations or Officers.

- a. ☐ by delivering a copy of the summons and complaint to the clerical employee designated by the U.S. Attorney authorized to accept service, pursuant to the procedures for the Office of the U.S. Attorney for acceptance of service, or by sending a copy of the summons and complaint by registered or certified mail addressed to the civil process clerk at the U.S. Attorneys Office.

Name of person served:

Title of person served:

Date and time of service: (date): at (time):

- b. ☐ By sending a copy of the summons and complaint by registered or certified mail to the Attorney General of the United States at Washington, D.C. (Attach signed return receipt or other evidence of actual receipt by the person served).
- c. ☐ By sending a copy of the summons and complaint by registered or certified mail to the officer, agency or corporation (Attach signed return receipt or other evidence of actual receipt by the person served).

6. At the time of service I was at least 18 years of age and not a party to this action.

7. Person serving (name, address and telephone number):

 **NORMA GUTIERREZ**  
**AMS Legal Support Services**  
**31 H. Street**  
**Bakersfield, CA 93304**  
**(661) 324-8018**

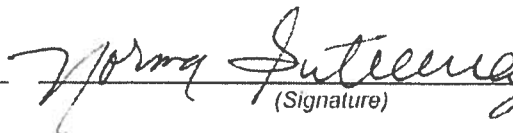
- a. Fee for service: \$
- b. ☐ Not a registered California process server
- c. ☐ Exempt from registration under B&P 22350(b)
- d. ☒ Registered California process server  
 Registration # :#433  
 County: KERN

8. ☐ I am a California sheriff, marshal, or constable and I certify that the foregoing is true and correct.

I declare under penalty of perjury that the foregoing is true and correct.

Date: March 30, 2017

NORMA GUTIERREZ  
 Type or Print Server's Name

  
 (Signature)

PROOF OF SERVICE - SUMMONS AND COMPLAINT

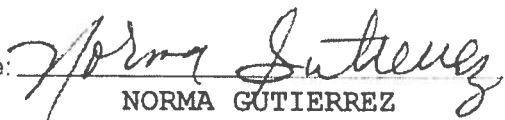
Attorney or Party without Attorney RECON MANAGMENT GROUP, LLC 30400 TELEGRAPH ROAD, SUITE 472 BINGHAM FARMS, MI 48025 TELEPHONE No. (248) 540-0160 FAX No. (Optional) (248) 540-3622 E-MAIL ADDRESS (Optional): Attorney for: Plaintiff				FOR COURT USE ONLY Ref No. or File No.	
Insert name of Court, and Judicial District and Branch Court. UNITED STATES DISTRICT COURT, DISTRICT OF NEW JERSEY -					
Plaintiff: SUPER 8 WORLWIDE, IN.C. Defendant: BBR HOTELS, INC., ET AL.					
<b>AFFIDAVIT OF REASONABLE DILIGENCE</b>		HEARING DATE:	TIME:	DEPT:	CASE NUMBER 2:17-CV-00829-JMV-MF

I, NORMA GUTIERREZ and any employee or independant contractor retained by AMS Legal Support Services are and were on the dates mentioned herein over the age of eighteen years and not a party to this action. Personal service was attempted on BHARAT PATEL as follows:  
Documents:

Date	Time	Location	Results
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03/28/2017	09:50 am	Home	Not In At Time Of Attempt At Business Per Angel Hotel Manager..
03/29/2017	12:48 pm		Not In At Time Of Attempt At Business Per Angel Zazueta, Hotel Manager, Not Sure When Servee Will Be In.

County: KERN  
 Registration No.: #433  
 AMS Legal Support Services  
 31 H. Street  
 Bakersfield, CA 93304  
 (661) 324-8018  
<http://www.amslegal.net/>

I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed on March 30, 2017 at Bakersfield, CA.

Signature:   
 NORMA GUTIERREZ

**AFFIDAVIT OF REASONABLE DILIGENCE**



**Affidavit of Diligent Efforts as to Bhavik Patel**

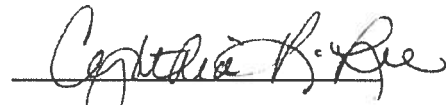
Re: Super 8 Worldwide Inc. v. BBRS Hotels, Inc., et al

1. Affiant, Cynthia R. Lee, is an employee of RECON Management Group, LLC and makes this affidavit on information and belief on April 13, 2017.
2. Affiant assumed responsibility of this file on February 20, 2017 and proceeded with preliminary research to locate a viable, current address for Defendant Bhavik Patel.
3. Based on a review of the file, research and data received and processed, as well as client-supplied data, Affiant forwarded the summons and complaint on Defendant to a California server on February 27, 2017 for service on Bhavik Patel at 1622 Union Ave., Bakersfield, CA 93305.
4. On March 14, 2017 at 7:35 p.m., server attempted service on Bharat Patel at 1622 Union Ave., Bakersfield, CA. At the time of arrival, address was to a Tropicana Motor Inn. Server was advised by Manager, Angel Zazueta, that servee was an owner/partner of the Hotel however, subject was not there at the time of service. Manager further stated that she did not know when subject would return.
5. On March 28, 2017 at 9:50 a.m. server returned to same address to attempt service on Bhavik Patel. Server was advised per Angel, Hotel Manager that subject was not in.
6. On March 29, 2017, at 12:48 p.m., server went back to 1622 Union Ave., Bakersfield, CA to effectuate service on Bhavik Patel and was once again informed by the Hotel Manager that subject was not in. Server left papers with Angel Zazueta, Hotel Manager, for service on Bhavik Patel.
7. On March 30<sup>th</sup>, California server reported to Affiant that Defendant Bhavik Patel was not served at 1622 Union Ave., Bakersfield, CA. and that subject was not at the address at the time of the service attempt. Furthermore, server reported that Hotel Manager confirmed that subject did own Hotel, however was never in at the time of service. Server also advised that he left the papers with Angel Zazueta, Hotel Manager, for service on Bhavik Patel.
8. Affiant attempted to locate alternative addresses for Defendant and was unable to locate another verifiable alternative address to serve Defendant. Affiant further states that the address listed at 1622 Union Ave., Bakersfield, CA is a current and viable address for Bhavik Patel.



9. We have no further alternative location information for this Defendant after diligent inquiry and attempts and believe that the address listed at 1622 Union Ave., Bakersfield, CA is the last known and current address for defendant Bharat Patel. Furthermore, we believe Defendant, Bhavik Patel, through its Attorney, Agents, or employees is avoiding service in this matter.

April 12, 2017



Cynthia R. Lee

RECON Management Group, LLC

30400 Telegraph Rd. #472

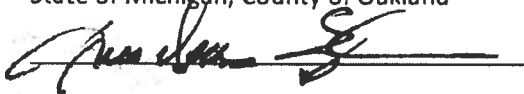
Bingham Farms, MI 48025

Subscribed to and sworn before me on

April 12, 2017

in the

State of Michigan, County of Oakland



Notary Public

JAMES DEAN SCHOENHERR  
NOTARY PUBLIC, STATE OF MICH.  
COUNTY OF MACOMB

MY COMMISSION EXPIRES Jun. 12, 2018

ACTING IN THE COUNTY OF

Oakland

**UNITED STATES DISTRICT COURT**  
DISTRICT OF NEW JERSEY

**SUPER 8 WORLDWIDE, INC.,**  
*Plaintiff*

V.

**SUMMONS IN A CIVIL CASE**

**BBRS HOTELS, INC., ET AL.,**  
*Defendant*

CASE NUMBER: 2:17-CV-00829-JMV-MF

TO: (Name and address of Defendant):

**BHAVIK PATEL**

*1622 Union Ave.  
Bakersfield, CA 93305*

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States Agency, or an office or employee of the United States described in Fed. R. civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

**LECLAIRRYAN**  
One Riverfront Plaza  
1037 Raymond Boulevard  
16th Floor  
Newark, New Jersey 07102

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

**WILLIAM T. WALSH**

CLERK

**John Reilly**

(By) DEPUTY CLERK



ISSUED ON 2017-02-08 14:07:23, Clerk  
USDC NJD

RECON MANAGMENT GROUP, LLC  
 30400 TELEGRAPH ROAD, SUITE 472  
 BINCILLIAM FARMS, MI 48026  
 (248) 540-0160

UNITED STATES DISTRICT COURT

SUPER 8 WORLDWIDE, IN.C.

Plaintiff(s)

v.

BBR HOTELS, INC., ET AL.

Defendant(s)

CASE NUMBER:  
 2:17-CV-00829-JMV-MF

PROOF OF SERVICE  
 SUMMONS AND COMPLAINT

(Use separate proof of service for each person/party served)

1. At the time of service I was at least 18 years of age and not a party to this action and I served copies of the (specify documents):

- a. ☐ summons ☐ first amended complaint ☐ third party complaint  
☐ complaint ☐ second amended complaint ☐ counter claim  
☐ alias summons ☐ third amended complaint ☐ cross claim  
☐ other (specify):

2. Person served:

- a. ☒ Defendant (name): BHAVIK PATEL  
 b. ☐ Other (specify name and title or relationship to the party/business named):  
 c. ☒ Address where the papers were served: 1622 UNION AVE.  
 BAKERSFIELD, CA 93305

3. Manner of Service in compliance with (the appropriate box must be checked):

- a. ☐ Federal Rules of Civil Procedure  
 b. ☒ California Code of Civil Procedure

4. I served the person named in Item 2:

- a. ☐ By Personal Service. By personally delivering copies. If the person is a minor, by leaving copies with a parent, guardian, conservator or similar fiduciary and to the minor if at least twelve (12) years of age.

1. ☐ Papers were served on (date): at (time):

- b. ☒ By Substituted Service. By leaving copies: ANGEL ZAZUETA - HOTEL MANAGER/EMPLOYEE

Age: 30'S Weight: 225 Hair: BLK Sex: Male  
 Height: 5'8 Eyes: BRN Race: HISP Marks:

1. ☐ (home) at the dwelling house, usual place of abode, or usual place of business of the person served in the presence of a competent member of the household, at least 18 years of age, who was informed of the general nature of the papers.

2. ☒ (business) or a person apparently in charge of the office, or place of business, at least 18 years of age, who was informed of the general nature of the papers.

3. ☒ Papers were served on (date): 03/29/2017 at (time): 12:48 pm

4. ☐ by mailing (by first-class mail, postage prepaid) copies to the person served in Item 2(b) at the place where the copies were left in Item 2(c).

5. ☐ papers were mailed on

6. ☒ due diligence. I made at least three (3) attempts to personally serve the defendant.

- c. ☐ Mail and acknowledgment of service. By mailing (by first-class mail or airmail, postage prepaid) copies to the person served, with two (2) copies of the form of Waiver of Service of Summons and Complaint and a return envelope, postage prepaid addressed to the sender. (Attach completed Waiver of Service of summons and Complaint).

- d. ☐ **Service on domestic corporation, unincorporated association (including partnership), or public entity.** (F.R.Civ.P. 4(h)) (C.C.P. 416.10) By delivering, during usual business hours, a copy of the summons and complaint to an officer, a managing or general agent, or to any other agent authorized by appointment or by law to receive service of process and, if the agent is one authorized by statute and the statute so requires, by also mailing, by first-class mail, postage prepaid, a copy to the defendant.
- e. ☐ **Substituted service on domestic corporation, unincorporated association (including partnership), or public entity.** (C.C.P. 415.20 only) By leaving during usual business hours, a copy of the summons and complaint in the office of the person served with the person who apparently was in charge and thereafter by mailing (*by first-class mail, postage prepaid*) copies of the persons at the place where the copies were left in full compliance with C.C.P. 415.20. Substitute service upon the California Secretary of State requires a court order. (**Attach a copy of the order to this Proof of Service.**)
- f. ☐ **Service on a foreign corporation.** In any manner prescribed for individuals by FRCP 4(f)
- g. ☐ **Certified or registered mail service.** By mailing to an address outside California (*by first-class mail, postage prepaid, requiring a return receipt*) copies to the person served. (**Attach signed return receipt or other evidence of actual receipt by the person served.**)
- h. ☐ **Other** (specify code section and type of service):

5. Service upon the United States, and Its Agencies, Corporations or Officers.

- a. ☐ by delivering a copy of the summons and complaint to the clerical employee designated by the U.S. Attorney authorized to accept service, pursuant to the procedures for the Office of the U.S. Attorney for acceptance of service, or by sending a copy of the summons and complaint by registered or certified mail addressed to the civil process clerk at the U.S. Attorneys Office.

Name of person served:

Title of person served:

Date and time of service: (date): at (time):

- b. ☐ By sending a copy of the summons and complaint by registered or certified mail to the Attorney General of the United States at Washington, D.C. (**Attach signed return receipt or other evidence of actual receipt by the person served.**)
- c. ☐ By sending a copy of the summons and complaint by registered or certified mail to the officer, agency or corporation (**Attach signed return receipt or other evidence of actual receipt by the person served.**)

6. At the time of service I was at least 18 years of age and not a party to this action

7. Person serving (name, address and telephone number):



**NORMA GUTIERREZ**  
**AMS Legal Support Services**  
**31 H. Street**  
**Bakersfield, CA 93304**  
**(661) 324-8018**

- a. Fee for service: \$
- b. ☐ Not a registered California process server
- c. ☐ Exempt from registration under B&P 22350(b)
- d. ☒ Registered California process server  
 Registration # :#433  
 County: KERN

8. ☐ I am a California sheriff, marshal, or constable and I certify that the foregoing is true and correct.

I declare under penalty of perjury that the foregoing is true and correct.

Date: March 30, 2017

**NORMA GUTIERREZ**  
 Type or Print Server's Name

*Norma Gutierrez*  
 (Signature)

PROOF OF SERVICE - SUMMONS AND COMPLAINT

Attorney or Party without Attorney RECON MANAGMENT GROUP, LLC 30400 TELEGRAPH ROAD, SUITE 472 BINCHAM FARMS, MI 48025 TELEPHONE No: (248) 540-0160 FAX No (Optional): (248) 540-3622 E-MAIL ADDRESS (Optional): Attorney for: Plaintiff				FOR COURT USE ONLY Ref No. or File No.:	
Insert name of Court, and Judicial District and Branch Court: UNITED STATES DISTRICT COURT, DISTRICT OF NEW JERSEY -					
Plaintiff: SUPER 8 WORLWIDE, IN.C. Defendant: BBR HOTELS, INC., ET AL.					
<b>AFFIDAVIT OF REASONABLE DILIGENCE</b>		HEARING DATE:	TIME:	DEPT.:	CASE NUMBER 2:17-CV-00829-JMV-MF

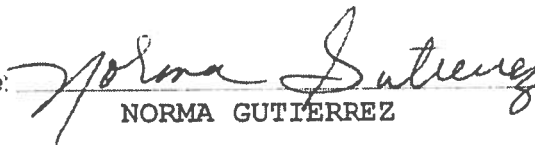
I, NORMA GUTIERREZ and any employee or independant contractor retained by AMS Legal Support Services are and were on the dates mentioned herein over the age of eighteen years and not a party to this action. Personal service was attempted on BHAVIK PATEL as follows:  
Documents:

Date	Time	Location	Results
03/14/2017	07:35 pm	Home	Attempted service at given address-1622 Union Ave., Bakersfield, CA 93305 at time of arrival realized given address is Tropicana Motor Inn Hotel and asked for Defendant and was advised by Angel Zazueta-Manager that servee is an owner/partner of the Hotel and Defendant is not here at this time and not sure when defenant would be in.
03/28/2017	09:50 am	Home	Not In At Time Of Attempt At Business Per Angel Hotel Manager.
03/29/2017	12:48 pm		Not In At Time Of Attempt At Business Per Angel Zazueta, Hotel Manager, Not Sure When Servee Will Be In

County: KERN  
 Registration No.: #433  
 AMS Legal Support Services  
 31 H. Street  
 Bakersfield, CA 93304  
 (661) 324-8018  
<http://www.amslegal.net/>

I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed on March 30, 2017 at Bakersfield, CA.

Signature:

  
 NORMA GUTIERREZ

**AFFIDAVIT OF REASONABLE DILIGENCE**

Order#: P181397/DilFormat.mdl

# EXHIBIT B



April 18, 2017

**VIA REGULAR & CERTIFIED MAIL RETURN RECEIPT REQUESTED**

Bhavik Patel  
1622 Union Avenue  
Bakersfield, CA 93305

Shobhana Patel  
1622 Union Avenue  
Bakersfield, CA 93305

Bharat Patel  
1622 Union Avenue  
Bakersfield, CA 93305

Re: **Super 8 Worldwide Inc. v. BBRS Hotels, Inc., et al.**  
**Civil Action No. 17-cv-829**  
**Site No. SWI 8517**  
**Client/Matter No. 23839.1715**

Dear Sir or Madam:

Enclosed for service upon you is a Summons and Complaint filed against defendants BBRS Hotels, Inc., Bhavik Patel, Shobhana Patel, Bharat Patel and Ramesh Patel in the United States District Court for the District of New Jersey. Please be guided accordingly.

Very truly yours,

Bryan P. Couch  
Attorney at Law

BPC/mkb  
Enclosures

E-mail: [Bryan.Couch@leclairryan.com](mailto:Bryan.Couch@leclairryan.com)  
Direct Phone: (973) 491-3582  
Direct Fax: (973) 491-3632

1037 Raymond Boulevard, Sixteenth Floor  
Newark, New Jersey 07102  
Malinda Miller, Attorney In Charge  
Phone: (973) 491-3600 \ Fax: (973) 491-3555

CALIFORNIA \ CONNECTICUT \ DELAWARE \ FLORIDA \ GEORGIA \ ILLINOIS \ MARYLAND \ MASSACHUSETTS \ MICHIGAN \ NEVADA \ NEW JERSEY  
NEW YORK \ PENNSYLVANIA \ RHODE ISLAND \ TEXAS \ VIRGINIA \ WASHINGTON, D.C.

ATTORNEYS AT LAW \ [WWW.LECLAIRRYAN.COM](http://WWW.LECLAIRRYAN.COM)